



TECHNICAL STAFF REPORT
SP-14-006: "GAITHER'S CHANCE"

Planning Board Special Subject Meeting of August 21, 2014 at 7:00 p.m.

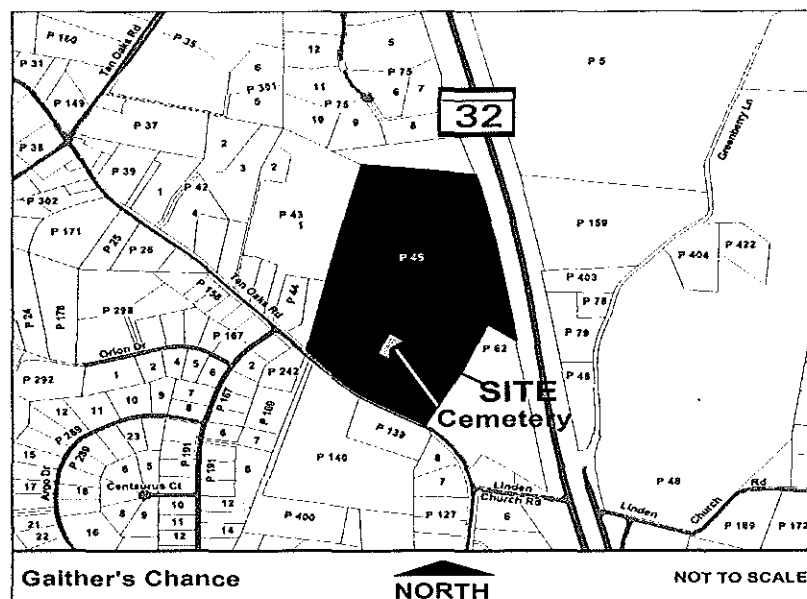
File No./Petitioner: SP-14-006; "Gaither's Chance"; 5027 Ten Oaks Road
Cemetery Accommodation and Boundary Plan
Parcel 45, Grids 8, 9, 14 & 15 Tax Map 28

Petitioner: CHM, LLC
5027 Ten Oaks Road
Clarksville, MD. 21029
c/o Janet Marshall
Consulting Engineer: GLW

Request: The request is for Planning Board consideration and recommendations to the Department of Planning and Zoning regarding a cemetery accommodation plan on Parcel 45 in accordance with Section 16.1304 of the Howard County Code. The applicant is proposing 18 residential lots, 1 Buildable Preservation Parcel and 3 Non-Buildable Preservation Parcels on Parcel 45, associated with SP-14-006. The cemetery is proposed to be accommodated on Buildable Preservation Parcel 'A'.

Recommendation: The Department of Planning and Zoning recommends approval of the "Cemetery Boundary Documentation and Accommodation Plan". See Page 3 for a list of recommended conditions.

Location: The cemetery (containing 2 gravesites) is located on the southern portion of Parcel 45, near the existing dwelling which is currently accessed from a farm lane/driveway from Ten Oaks Road, situated on Tax Map 28 in the Fifth election District of Howard County, Md. Parcel 45 is zoned RR-DEO (Rural Residential-Density Exchange Option).



Site History:

ECP-14-067 ("Gaither's Chance") was submitted on March 11, 2014 and a revised plan submittal is pending.

SP-14-006 ("Gaither's Chance") initially submitted April 30, 2014. Currently under review.

WP-14-124 ("Gaither's Chance") initially submitted April 30, 2014 for waiver for specimen tree removal (Section 16.1205(a)(7) & 16.1205(a)(10) and road frontage improvements (Section 16.132(a)). Currently under review.

Analysis:

This is a request for recommendation by the Planning Board concerning the "Cemetery Boundary Documentation and Accommodation Plan" for 2 gravesites (William Gaither: date of birth: unknown; died 1849 and Samuel Close: born: 1765; date of death: unknown), located at 5027 Ten Oaks Road, Tax Map 28, Parcel 45 as shown on SP-14-006 "Gaither's Chance" consisting of 18 residential lots, 1 Buildable Preservation Parcel and 3 Non-Buildable Preservation parcels. The cemetery is proposed to be situated on Buildable Preservation Parcel 'A' located south of the main dwelling previously known as "Great Expectations". This dwelling and several outbuildings will remain as part of the proposed subdivision of "Gaither's Chance". The headstones have been stored in one of the sheds on the property since the 1990s (or prior to).

In accordance with Section 16.1304(e) of the Howard County Code, the Planning Board shall consider the design proposal for the cemetery accommodation at a public meeting and make a recommendation to the Department of Planning and Zoning on the property owner's plan.

The property owners wish to keep the cemetery on their buildable preservation parcel so that they may be the caretakers of the cemetery. This scenario (versus placing the cemetery on its own separate parcel) has been permitted for other rural cemeteries to allow graves to be retained within the family or farm parcel. Therefore, the proposal is to accommodate the 2 existing graves within a "cemetery preservation and access easement" on proposed Buildable Preservation Parcel 'A'. The graves would be accessed from the proposed public right-of-way ("Gaither's Chance Drive").

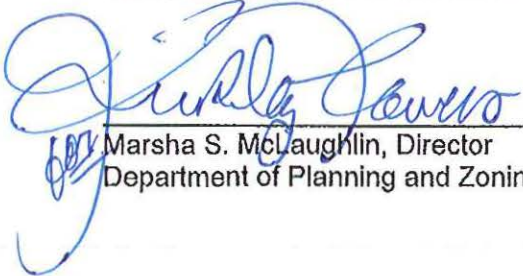
Per Section 16.118(c) of the Howard County Subdivision and Land Development Regulations, "no grading or construction shall be permitted within 30 feet of a cemetery boundary or within 10 feet of individual grave sites. The proposed accommodation plan show the graves to be no less than 10 feet from the boundaries of the preservation easement and over 30 feet from the proposed right-of-way.

Attached for your review and consideration are the following documents:

1. A copy of the applicable Section from the Howard County Subdivision and Land Development Regulations; Section 16.1304, "Development or Subdivision in a Cemetery" which explains the Planning Board's recommendation authority for the property owner's cemetery plan.
2. The applicant's proposed Cemetery Accommodation Plan
3. Cemetery Investigation by R. Christopher Goodwin & Associates
4. Title Research by Law Offices of Shawn A. Goldfaden, LLC
5. Photographs of existing tombstones and the location of the markers in the lawn area (circa 1980s). Photograph of proposed cemetery site (taken August, 2014).

Recommendation: The Department of Planning and Zoning recommends approval of the "Cemetery Boundary Documentation and Accommodation Plan", subject to the following conditions:

1. The two headstones shall be re-installed over the existing gravesites.
2. The applicant shall enclose the cemetery area with open fencing which will also contain an access gate.
3. Condition #1 and #2 shall be addressed PRIOR TO recordation of the subdivision plat associated with the "Gaither's Choice" subdivision. Photographs shall be submitted for the official file as proof that conditions #1 and #2 have been met.


Marsha S. McLaughlin, Director
Department of Planning and Zoning

8-8-14
Date

Please note that this case file is available for public review at the Department of Planning and Zoning's Public Service Counter, Monday through Friday from 8:00 am to 5:00 pm.

- (vi) Two members shall represent the general public.

Section 16.1303. Inventory of Cemeteries.

- (a) *Establishment of Inventory:* The Department of Planning and Zoning, in cooperation with the Cemetery Preservation Advisory Board, shall propose, and the County Council shall establish, an inventory of all known cemeteries in the county, together with a description of the geographical location of each and a record of the owners of each burial ground.
- (b) *Maintenance of Cemetery Inventory Map:* The Department of Planning and Zoning shall maintain a current map which depicts the location of all known cemeteries in the county based on the above inventory.

Section 16.1304. Development or Subdivision in a Cemetery.

- (a) *Accommodation:* When a property owner proposes to develop a property, through submission of a subdivision sketch plan, preliminary equivalent sketch plan, or a site development plan, on which is located a cemetery which is shown on the inventory map, the property owner shall:
 - (1) Accommodate the cemetery with the development, by placing the cemetery in a non-buildable lot with a cemetery designation, by dedicating the cemetery to a homeowner's association or a preservation, conservation or religious organization, by providing that the cemetery be used as a cemetery in perpetuity, and by providing public access to the cemetery. Any land placed in a non-buildable cemetery lot designation pursuant to this section may be counted towards open space requirements. Alternatively, a property owner may leave the deed to the cemetery in the private ownership and care of a family;
 - (2) Conduct a title search of the parcel extending back to the original patent to ascertain whether covenants relating to the cemetery had been executed;
 - (3) Establish the boundaries of the cemetery as approved by the Department of Planning and Zoning whenever the cemetery boundaries are either not well defined or in dispute, using any or all of the following methods:
 - (i) Historical documentation;
 - (ii) Professional archaeology;
 - (iii) Ground-penetrating radar;
 - (iv) Oral history, claims of descendants, vital records;
 - ✓ (v) Proton magnetometry; and/or
 - (vi) Other approved nondestructive techniques.

- (b) ***Accommodation at Preliminary or Final Plan:*** If a cemetery is discovered after the approval of sketch plan or preliminary equivalent sketch plan or if a sketch plan is not required to be submitted, then all the requirements of [this] section 16.1304 shall apply to the submission of a preliminary subdivision plan or a final subdivision plan for a property that contains a cemetery.
- (c) ***Submission of Cemetery Boundary Documentation and Accommodation Plan:*** Once the property owner determines the boundaries of the cemetery using one or more of the foregoing methods, the property owner shall submit to the Department of Planning and Zoning the documentation of the boundaries of the cemetery, and a plan showing how the cemetery will be accommodated with the development and how public access to the cemetery will be provided, in accordance with Subsection (a) above.
- (d) ***Meeting:*** The Department of Planning and Zoning shall forward the information provided in Subsections (a) and (c) above to the Planning Board. The board shall consider this information at a regular Planning Board meeting.
- (e) ***Recommendation; Decision:*** The Planning Board shall make a recommendation to the Department of Planning and Zoning on the property owner's plan. The Department of Planning and Zoning shall expeditiously make a final decision on the matter. In the event that the Department of Planning and Zoning determines that an accommodation of the cemetery with the development cannot reasonably be accomplished without denying the property owner reasonable use of its entire property, then the Department of Planning and Zoning shall require the property owner to develop, and it shall approve, a plan for appropriate treatment of the cemetery in accordance with State law.

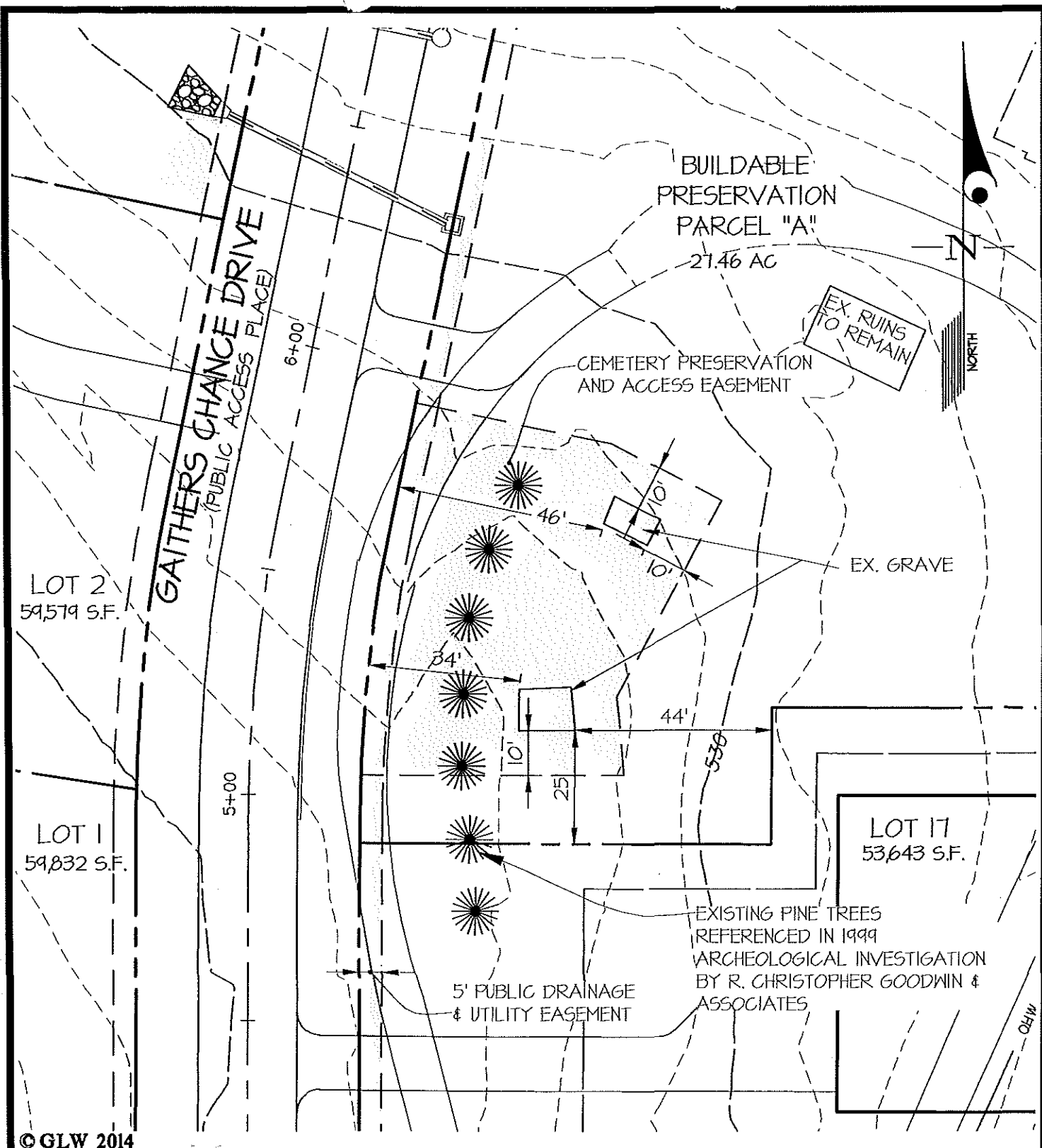
Section 16.1305. Discovery of Cemetery.

- (a) ***Discovery:*** If any person discovers the existence of previously unknown human remains, tombstones, funerary objects, or other evidence of a cemetery which reasonably indicates the presence of a cemetery in the course of grading, construction or work of any kind, that person shall stop work immediately in the discovered area and shall give notice of its discovery within 24 hours to the state's attorney, the county health officer, the Department of Planning and Zoning, the Department of Public Works, and the Department of Inspections, Licenses and Permits. All permits issued by the Department of Inspections, Licenses and Permits relating to the discovered area shall be suspended and the property owner shall stop all work in the discovered area until a determination is made pursuant to subsection (b) of this section.
- (b) ***Determination:*** The Department Planning and Zoning, in consultation with the Cemetery Preservation Advisory Board, shall determine if the discovered area provided in subsection (a) above is a cemetery. In making this determination, the Department of Planning and Zoning, in consultation with the Cemetery Preservation Advisory Board, may require the property owner to comply with section 16.1304(a)(2) and (3). If it is determined that the area is not a cemetery, the stop-work order shall be lifted and the suspended permits released by the Department of Inspections, Licenses and Permits.
- (c) ***Cemetery protection:*** If it is determined that the discovered area is a cemetery, the property owner shall comply with the requirements of section 16.1304 of this Subtitle. However, the

Gaither's Chance
Tax Map 28, Parcel 45
Cemetery Accommodation
4/30/14
SP-14-OK

Enclosures:

1. Cemetery Accommodation Plan
2. Cemetery Investigation by R. Christopher Goodwin & Associates.
3. Title Research by Law Offices of Shawn A. Goldfaden, LLC



© GLW 2014

CEMETERY ACCOMMODATION PLAN SP-14-006

GLW GUTSCHICK LITTLE & WEBBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20868
TEL: 301-421-4024 BAL: 410-880-1820 DC/VA: 301-983-2524 FAX: 301-421-4186

L:\CADD\DRAWINGS\13070\PLANS BY GLW\EXHIBIT\13070 - Cemetery Plan.dwg

DES. dds

DRN. dds

CHK.

GAITHER'S CHANCE LOTS 1-18, Buildable Preservation Parcel 'A', & Non-Buildable Preservation Parcels 'B', 'C', & 'D' TAX PARCEL 45 LIBER 10486 FOLIO 203

PREPARED FOR :

CHM, LLC
5027 TEN OAKS ROAD
CLARKSVILLE, MD 21029
JANET MARSHALL
410-531-1460

G. L. W. No.	13070
ZONING	RR-DEO
TAX MAP/GRID	28-9
DATE	JULY, 2014
SCALE	1"=30'
SHEET	1 OF 1



R. CHRISTOPHER GOODWIN & ASSOCIATES, INC.

241 East Fourth Street, Suite 100, Frederick, MD 21701 • 301-694-0428

5824 Placche Street, New Orleans, LA 70123 • 504-736-9323

3816 Kecoughtan Road, Hampton, VA 23669 • 757-723-5254

848 Blountstown Highway, Unit "D", Tallahassee, FL 32304 • 904-575-0565

May 26, 1999

Mr. Henry C. Marshall
"Great Expectations"
5027 Ten Oaks Road
Clarksville, Maryland 21029

RE: Archeological Investigations of Two Gravesites, Howard County, Maryland.

Dear Mr. Marshall:

R. Christopher Goodwin & Associates, Inc. is pleased to provide you with this summary letter describing the findings of remote sensing survey at "Great Expectations," Howard County, Maryland. The intent of this archeological survey is to examine a selected portion of the lawns south of the main dwelling at "Great Expectations," in order to ascertain the locations of two historic burials, whose markers have been removed. This investigation consisted of remote sensing within a selected lawn area, analysis of the data generated through remote sensing, and the preparation of a letter report detailing the findings.

Historic documentation indicates the presence of two graves within the lawn area at "Great Expectations," one for William Gaither, who died in 1849 and one for Samuel Close who was born in 1765 (date of death unknown). There appear to have been no additional, subsequent interments on the property, or in the vicinity of the two marked graves. Photographs from the 1980s indicate the locations of the markers in the lawn area. These photographs were used as a guide for the establishment of a 30 x 60 m survey area thought to contain the unmarked burials.

Terrestrial remote sensing is a non-invasive means of identifying subsurface disturbances that may indicate the locations of the graves. The survey was conducted along 15 parallel transects spaced at two meter intervals. A Geometrics G-858 portable gradiometer was used for greater accuracy in identifying anomalies. The gradiometer is a magnetometer that utilizes two closely spaced sensors. These sensors sample and record data in rapid succession. The difference between the two readings (the gradient) is extracted by the system, thus removing the effects of regional magnetic forces.

The resulting data were analyzed to identify anomalies that may represent the locations of the graves. Two areas were identified that may contain unmarked graves. The northernmost area from approximately South 17-20 and West 5 to 16 (Figure) matches almost exactly the shape and size of a standard burial shaft (6 x 3 ft). This anomaly also is in almost the exact location selected for the possible location of a burial based on photographic data. The second anomaly is a more amorphous area located in the southwestern corner of the survey grid, stretching diagonally from South 50 to 60, and from East 15 to 25 (Figure). This anomaly is less clearly defined, and if it represents a burial, it may have been disturbed either by the installation of the nearby drive, or by the pine trees that line the drive. No ground-disturbing activity was included in this investigation; therefore the precise nature of the anomaly was not field verified.

Mr. Henry C. Marshall
Page 2 of 2
May 26, 1999

As a result of remote sensing, two possible locations for burials were identified. If the burials are to remain in place, impacts to the burials should be avoided through the establishment of a buffer cemetery easement following Howard County Cemetery Preservation Advisory Board regulations. These regulations require no grading or construction within 30 feet of a cemetery boundary or within 10 feet of individual gravesites (Title 16, Subtitle 13, Section 16.118). The Code also provides several ways in which the cemetery plot may be accommodated within a development. These include "placing the cemetery in a non-buildable lot, dedicating the cemetery to a Homeowner's Association or preservation, conservation or religious organization, providing that the plot be used as a cemetery in perpetuity, and by providing public access to the burial plot" (Title 16, Subtitle 13 Section 16.1304).

If the burials must be removed, it first will be necessary to confirm that the anomalies are graves through archeological testing. Second, an application should be made to the State's Attorney, Public Health Office for a Cemetery Relocation Permit in accordance with state law, and following additional consultation with and approval from Howard County and the Cemetery preservation Advisory board. It then would be necessary to hire an undertaker to exhume the burials, and move them to another location. Depending upon the condition of the burials, you also may have to purchase new coffins or caskets. Finally, we recommend consultation with the descendants prior to initiating any further action; we understand that you already have contacted the family, and encourage you to continue those discussions.

R. Christopher Goodwin & Associates, Inc. is pleased to provide this summary letter. Please feel free to contact us if you have any questions concerning the results of this remote sensing survey. We are at your service.

With best regards, I remain

Yours faithfully,

R. Christopher Goodwin
R. Christopher Goodwin, Ph.D.
President & CEO

RCG/sal

R. CHRISTOPHER GOODWIN & ASSOCIATES, INC.





R. CHRISTOPHER GOODWIN & ASSOCIATES, INC.

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848 Blountstown Highway, Unit "D", Tallahassee, FL 32304 • 904-575-0565

ESTIMATE AND AGREEMENT FORM

TO: Mr. Henry C. Marshall
5027 Ten Oaks Road
Clarksville, Maryland 21029

BID: We hereby propose to furnish
material and labor to complete the work
outlined herein for the sum of:
One thousand dollars and 00/100
(\$1,000.00)

We hereby submit specifications and bid for:

**ARCHEOLOGICAL REMOTE SENSING AT GREAT EXPECTATIONS
HOWARD COUNTY, MARYLAND**

Description of Work. All work will be performed in accordance with the proposal letter dated May 17, 1999. That proposal is made a part of this agreement, and will serve as the basis of our mutual understanding regarding the nature of the work performed hereunder.

Payment. 50 per cent (\$500.00) upon completion of the field investigations; 50 per cent (\$500.00) net 30 days upon receipt of the letter report.

In the event that Mr. Henry C. Marshall is in default on payment obligations under this agreement/contract and Goodwin & Associates, Inc. retains an attorney for collection purposes, regardless of whether suit is filed, Mr. Henry C. Marshall agrees to pay Goodwin & Associates, Inc. all collection costs and expenses, including all attorneys' fees incurred.

CONTRACTORS GUARANTEE		ACCEPTANCE OF BID	
We guarantee all material used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. Any variations from plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.		The above specifications, terms and contract are satisfactory, and I(we) hereby authorize the performance of this work.	
Date:	5/17/99	Date:	5/17/99
Signature:	[Signature]	Signature:	[Signature]

THIS CONTRACT IS VOID 30 DAYS FROM DATE UNLESS COPY IS SIGNED AND RETURNED TO BIDDER.
WE COMPLY WITH ALL WORKMAN'S COMPENSATION & PROPERTY DAMAGE LIABILITY INSURANCE LAWS.



R. Christopher Goodwin & Associates, Inc.

241 East Fourth Street, Suite 100

Frederick, MD 21701

5824 Plaque Street

New Orleans, LA 70123

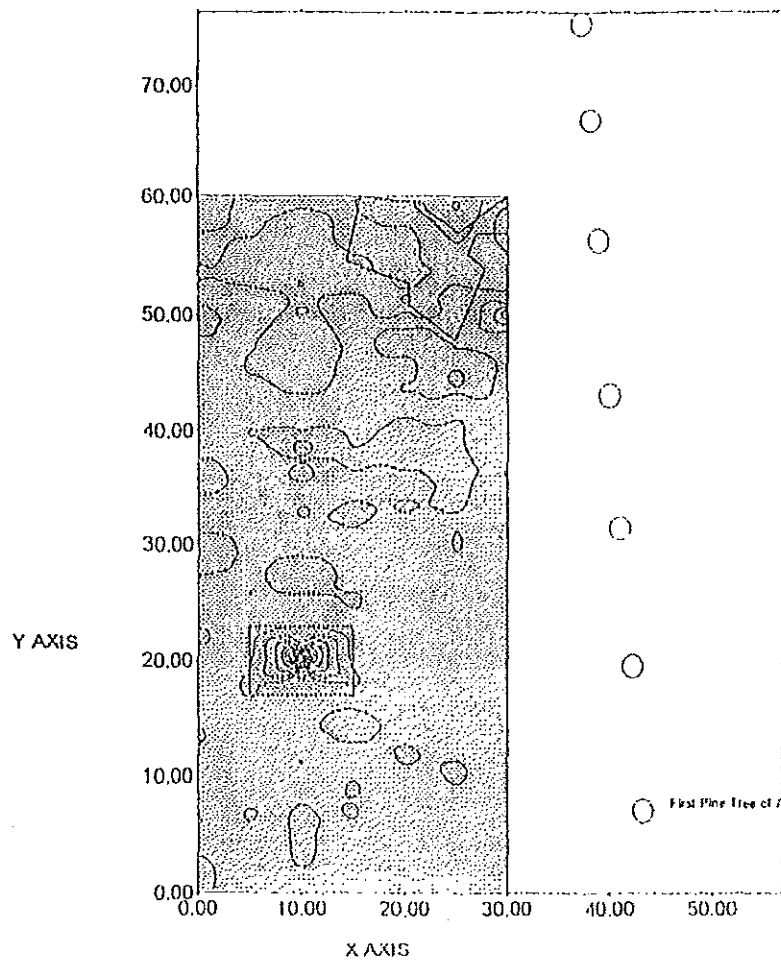
Final Invoice

BILL TO
Mr. Henry C. Marshall 5027 Ten Oaks Road Clarksville, Maryland 21029

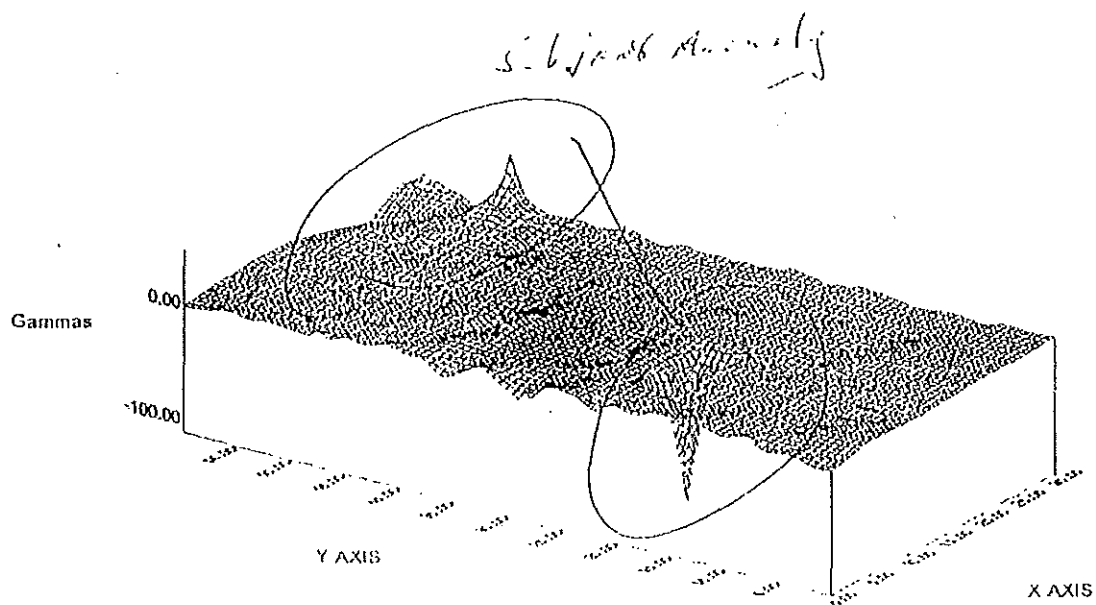
P/E DATE	TERMS	INVOICE #
8/31/1999	Net 10~	2
MAIL DATE	PERIOD	
09/27/99	FINAL Invoice	

Description	Quantity	Rate	Amount
Archeological remote Sensing at Great Expectations Howard County, Maryland			
50% (FINAL Payment) due upon receipt of the letter report	0.5	1,000.00	500.00
<i>Mary Ann LeBlanc</i>			
Mary Ann LeBlanc, Comptroller	Amount This Invoice		\$500.00

Please make checks payable to R. Christopher Goodwin & Associates, Inc. and remit to the Frederick, MD office. If you have any questions call 504-736-9323.



Magnetic Contour Map with site map.



Magnetic surface map showing large rectangular anomaly in the lower portion of survey area.



R. CHRISTOPHER GOODWIN & ASSOCIATES, INC.

cultural resource management and preservation planning

April 4, 2014

Mr. Chad J. Riedy
Mitchell & Best Homes, LLC
1686 E. Gude Drive
Rockville, MD 20850

RE: Archeological Remote Sensing for Two Gravesites at "Great Expectations", Howard County, Maryland

Dear Mr. Riedy:


At the request of Mr. Henry C. Marshall, in 1999 R. Christopher Goodwin & Associates, Inc. conducted a remote sensing survey, aimed at locating two historic burials in the lawns south of the main dwelling at "Great Expectations." That investigation consisted of non-invasive remote sensing using a gradiometer, analysis of data generated by the survey, and a letter report dated May 26, 1999. As you know, historic documentation indicated that William Gaither and Samuel Close were interred in this portion of the property. The results of remote sensing indicated that two anomalies were present in the surveyed area that might indicate the presence of unmarked graves. These anomalies were described in the May 26, 1999 letter report with an accompanying illustration. No sub-surface testing was done at that time to confirm that the anomalies were graves.

In the initial letter, the locations of the two anomalies were mapped using the metric system. Subsequent examination of the map data has indicated that the scale for the maps that show the anomalies should have been measured in feet, not meters. An adjusted map overlay is attached to this letter that shows the corrected locations of the anomalies that may represent the locations of the two historic graves. The adjusted locations are illustrated in red on the overlays.

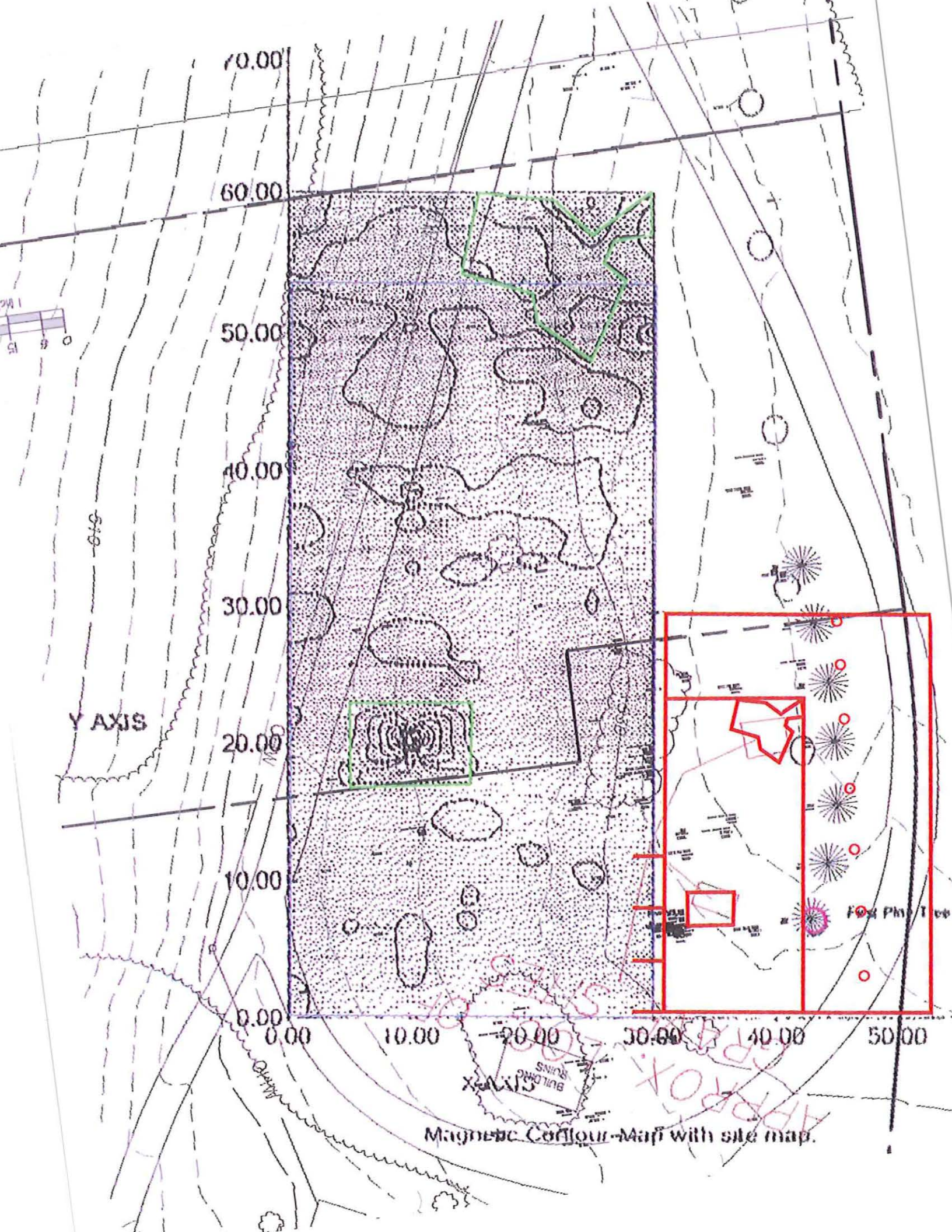
We would like to reiterate the recommendation made in the May 26, 1999 letter that if the burials are to remain in place, impacts to the burials should be avoided through the establishment of a buffer cemetery easement following Howard County Cemetery Preservation Board regulations. If the burials are to be removed, archeological testing is recommended.

Please feel free to contact us if you have any additional questions regarding the results of the remote sensing survey, or the attached revised maps.

Sincerely,



Suzanne L. Sanders, M.A.
Senior Project Manager



Law Offices of Shawn A. Goldfaden, LLC
100 Painters Mill Road, Suite 200
Owings Mills, Maryland 21117
(410) 415-7533 - O
(410) 653-3621 - F
sgoldfaden@residentialtitle.com

Admitted in MD and GA

April 29, 2014

Howard County, Maryland
Department of Planning and Zoning 3430 Court House Drive
Ellicott City, Maryland 21043

Re: 5027 Ten Oaks Road
Gaithers Chance

To Whom It May Concern:

I had commissioned a supplemental review of title to the above-described property extending back to 1863, in order to determine what mention was made with respect to the cemetery located within the property. Be advised as follows as a result of our review.

According to the expanded title report, received by the firm from Oak Tree Abstracting Company, the first mention of the cemetery, described in a Deed (Liber 26, page 85) to Horatio G. Lawrence from Allen Scrivner and Martha Scrivner (dated November 11, 1866) as a "... reserving to themselves the grave yard and right of way thereto..." reservation to the grantors to the graveyard and right of way called "Gaithers Enlargement". The second mention of the reservation is noted in a saving and excepting clause cited in a January 4, 1883 deed (Liber 46 page 377) from Louisa H. Aldridge, John W. Alldridge (sp), Elizabeth A. Alldrige (sp), James D. Aldridge, Nicholas A. Aldridge, Ida M. Aldridge and Cafitold (sp) Aldridge unto George A. Howard set forth as "...saving and excepting from the effect and operation of this Deed the burying ground therein as now laid out, with the right of ingress and egress to and from the same so far as the same is necessary or may be necessary for the use and/preservation of said burying ground." Then lastly it is mentioned in an April 17, 1925 Deed (Liber 122 folio 583) from Narcissa Downs, Jess W. Downs, Lula W. Penn unto John T. Hill as a reservation "... Reserving, however, to the Grantors herein the graveyard located upon the property hereby conveyed together with the right of egress and ingress thereto at all times to the Grantors, their heirs and assign, forever". Copies of such deeds accompany this letter with the language relevant to the cemetery highlighted. Deeds of conveyance recorded since then have not made mention of the cemetery. The cemetery described in the aforementioned deeds has land with no fixed location and the right of access is likewise general and without specific location.

Please advise if further information or documentation is required in this regard. Thank you.

Law Offices of Shawn A. Goldfaden, LLC

Mailed: 4/29/14

By: 

Shawn A. Goldfaden, Attorney
Phone No. 410-653-3400
Fax No. 410-653-3621

and sixty by personally appeared Aaron Bergman
and Mary his wife and acknowledged the within
to be their act and deed for the purposes therein set forth
acknowledged before

Horatio Johnson

Received Nov. 27. 1866 Sumo day recorded and
T. Ammons per

H. N. Watkins Clerk

Witness
to the above
day of 1866

Allen Scrivenor Esq.
Martha Scrivenor
Deeds
Horatio B. Scrivenor

IN WITNESS
WHEREOF
MY HAND
AND SEAL
OF OFFICE
THIS 27th DAY
OF NOVEMBER
1866

This Indenture made this 27th day of November
in the year of our Lord and thousand eight
hundred and sixty six between Allen
Scrivenor and Martha Scrivenor his wife
both of Howard County in the State of

Maryland of the first part and Horatio B. Scrivenor of Solankville same
County and State of the other part: Witnesseth that for and in con-
sideration of the sum of two thousand dollars current money to be paid
by the said Horatio B. Scrivenor to the said Allen Scrivenor and
wife and to them in hand paid at or before the sealing and delivery
of these presents the receipt of which is hereby acknowledged
the said Allen Scrivenor and his wife has bargained and sold
Alone conveyed and by these presents do grant bargain and
sell unto the said Horatio B. Scrivenor his heirs and assigns all that part of a tract or
parcel of land lying and being in Howard County aforesaid according
to the plan the boundaries and right of way therein called and known
as "Barthens Embankment" and contained in the following miles

and bounds courses and distances to wit. Beginning at the beginning of Baithers Enlargement and running on said lands as contained five courses north seventy nine degrees west one hundred and ten perches south forty four degrees east fifteen perches south eleven and a half degrees west eighty eight perches south one degree west forty perches to a stone south sixty three degrees east forty four perches to two Sycamore trees standing by a branch north twenty eight and a half degrees east forty eight perches south fifty degrees east fifty six and one fifth perches to the given line of the whole tract of Baithers Enlargement then with said line north three and a half degrees east one hundred and one quarter perches to the Beginning at laid out for eighty and one half acres of land more or less together with all and singular the Buildings improvements waifs wares water courses rights and privileges advantages and appurtenances thereto belonging or in anywise appertaining and all the estate right title and interest trust property claim and demand wheresoever at law or in equity of them the said Allen Sermon and his wife of law and to the same & also that they the said Allen Sermon and wife their heirs & assigns the premises above described and hereunto mentioned to be granted bargained and sold with the appurtenances (except the grave yards and right of way thereto) unto the said Horatio B. Sawmeyer his heirs and assigns shall and will warrant and forever defend by their persons against the claims of all persons whomsoever to have and to hold the said part of a tract of land and premises with the appurtenances thereto belonging unto the said Horatio B. Sawmeyer his heirs and assigns to the only propriety of the said Horatio B. Sawmeyer his heirs and assigns forever. In testimony whereof the said Allen Sermon and his wife has hereunto set their hands and seals on the day and year first above written.

Signed sealed and delivered
in the presence of
B. H. Nichols
Joseph C. Wood

Allen Sermon (Read)
Martha Sermon (Read)

State of Maryland. Howard County to wit.
I hereby certify that on this tenth day of November in the year of our Lord eighteen hundred and sixty six before me subscribed a Justice of the peace of the State of Maryland and for Howard County personally appeared Allen Sermon and Martha Sermon his wife they being known to me to be

the persons who are named and described as and professing to be the parties to the foregoing deed or indenture and doth acknowledge the said indenture or instrument of writing to be their act and deed. In testimony whereof I hereunto subscribe my name on the day and year aforesaid.

(S. Hand) B. F. Nichols S. B.

Received to be recorded November 27th 1866 at 10 o'clock A. M. before day recorded and Examined per

M. W. Watkins Clerk

Witness James Dolan
T. Amos Asst. of Secy. of
Hulligan Dennis Mulligan
Aug 11/67

505
D. S.
Book
Page 1

This Deed made this fourteenth day of November in the year eight hundred and sixty five by James Dolan Witness that in consideration of the sum of three hundred and fifty dollars the said James Dolan doth grant unto Dennis Mulligan all that lot of land situate lying and being in Howard County being a part of a lot of land distinguished by the number forty (40) in a deed of partition made between George Elliott the elder and Samuel Elliott and Andrew and John Elliott by deed on record in Baltimore County in Liber W. B. No 205 folio 38^{re} and in Anne Arundel County Court in Liber W. B. No 15 folio 51^{re} and contained within the descriptions following, to wit: Beginning for the same at the south west corner of the frame erected on the lot now being conveyed described and on the east side of the Baltimore and Ohio Rail Road and running thence branding on the east side of said Rail Road and along the front of said house North seven degrees west twenty one feet thence north eighty three degrees east seventy feet to the mill stake formerly belonging to John Leventis Leavolt thence branding on said mill seat South twenty six degrees east twenty four feet and thence South eighty three degrees west twenty six feet to the place of beginning containing fifteen hundred and thirty three square feet being the same lot of ground which was leased for ninety nine years renewable forever by George Elliott and James B. Clark his wife to the said James Dolan by lease dated on the fourth day of October in the year eight hundred and forty seven and which is recorded in the land records of the City

Dec. 15
Gen. Howard
Lancaster 1890

Louisa Allridge & others
Deed to
George A. Howard

This Deed made this Fourth day of January in the year Eighteen hundred and eighty three by and between Louisa Allridge the widow of John Allridge late of Howard County in the State of Maryland, deceased, John W. Allridge and Elizabeth A. Allridge, his wife, James S. Allridge, A. Albert Allridge and Ida M. Allridge his wife and Capetola Allridge the only child and heirs at law of the said John Allridge, deceased, all of Baltimore City in the said State of the first part and George A. Howard of Howard County and State aforesaid of the second or other parts, Witnesseth that the said parties of the first part for and in consideration of one hundred and twenty five dollars, current money to them in hand paid, do grant unto the said George A. Howard in fee simple, all their right, title, interest and estate and of each of them both at law and in equity in and to all that piece, parcel or part of a tract or tracts of land called Thomas Lot, or by whatever name or names the same is or may be called or known situate in said Howard County, that was conveyed to the said John Allridge by Wm. Safford, decess, the one from Nicholas B. Redgely and Ruth Redgely his wife, bearing date the 11th day of May 1863, recorded in the Land Records of Howard County in Liber W. W. 1122 folio 474 re. and the other from Basil Redgely and Sarah E. Dorey bearing date the 24th day of September in the year 1864, recorded in said Land Records in Liber W. W. 1123 folio 432 re. and in said last named deed is described as follows, to wit: Beginning at the beginning line of the original tract called Thomas Lot, and running and bounding on and with the eastern of the land called Thomas Lot the two following courses with an allowance of three degrees correction of variation South 48 degrees East 40 perches South by

degrees 30 minutes West 60 perches, thence north 85 degrees and one half West one hundred and twenty perches to the end of the fourth line of William Ray's Junr. deceased part of addition to Thomas Lot 1 thence 14 degrees and 30 minutes East 97 perches to intersect the first of addition to Thomas Lot pt. the end of 50 perches, thence with a straight line to the place of beginning. Containing 50 acres of land more or less.

Saving and Excepting from the effect and operation of this deed the burying ground thence as now laid out, with the right of ingress and egress to and from the same so far as the same is necessary or may be necessary for the use and preservation of said burying ground.

Together with the buildings and improvements thereto erected, made or being and all and every the rights, roads, ways, waters, water courses, privileges, appurtenances, and advantages thereto belonging or in anywise appertaining. To have and to hold all the right, title, interest and estate both at law and in equity (with the reservations aforesaid) of the parties of the first part, heirs and each of them in and to the said hereby conveyed unto the said George de Howard, his heirs and assigns. And the said parties of the first part hereby covenant to warrant specially the property hereby conveyed and further that they will execute such further and other assurance as may be requisite.

Witness our hands and seals.

Attest
 Mr. Bennett
 J. A. Howard

James A. Aldridge (Seal)
 John W. Aldridge (Seal)
 Elizabeth A. Aldridge (Seal)
 James B. Aldridge (Seal)
 Nicholas A. Aldridge (Seal)
 Samuel Aldridge (Seal)
 Captain Aldridge (Seal)

State of Maryland

Baltimore City, to wit.

I hereby certify that on this Fourth day of January

any in the year eighteen hundred and eighty three
before me the subscriber a Justice of the Peace of
the State of Maryland in and for Baltimore City,
personally appeared Louisa Allridge, John W. Allridge
and Elizabeth A. Allridge his wife, James D. Allridge
N. Albert Allridge and Idella Allridge his wife
and Capetola Allridge and each acknowledged
the foregoing deed to be their respective act and
deed.

Otto Bonner Jr.

State of Maryland,

Baltimore City, Sep.

I hereby certify that Otto Bonner Esquire before
whom the annexed acknowledgments were made
and who has thereto subscribed his name was
at the time of so doing a Justice of the Peace of
the State of Maryland in and for the City of Bal-
timore duly commissioned and sworn, and as
changes by law to administer oaths and take
acknowledgments. I further certify that I am
acquainted with the hand writing of the said
Justice and truly believe the signatures to be his
genuine signature. In Testimony Whereof
I have set my hand and affix the seal of the
Superior Court of Baltimore City the 5th day of June
A.D. 1883.

(Seal Place)

Reuben T. Allmon, Clerk of the
Superior Court of Baltimore City.

Received for record 15th June 1883. Same day reviewed
and examined, per

L. J. Watkins, Clerk.

TOGETHER with the buildings and improvements thereon, and all and every the rights and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said land and premises unto and to the proper use and benefit of the said Dorsey M. Williams, his heirs and assigns, forever in fee simple.

AS WITNESS THEIR HANDS AND SEALS, the day and year first above written.

TEST:

Edmund S. Johnson (SEAL)

Mary E. T. Sanner.

George Richards (SEAL)

Executors of the Last Will and Testament of Henry Richards, deceased.

STATE OF MARYLAND, HOWARD COUNTY, Sot.:

I HEREBY CERTIFY, That on this 19th day of May, 1925, before me, the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, and residing in Howard County aforesaid personally appeared Edmund S. Johnson and George Richards, and acknowledged the foregoing deed to be their act as executors as therein set forth.

AS WITNESS MY HAND AND NOTARIAL SEAL.

(SEAL'S PLACE)

Mary E. T. Sanner
Notary Public.

Received for record 19th May, 1925 at 9:50 o'clock A. M. Same day recorded and examined per

Hust B. Hall, Clerk.

NARCISSE DOWNS, JESSE W.
DOWNS and LULU PENN,
DEED TO
JOHN T. HILL,

\$3.00 Duly
Canceled
Revenue
Stamps.

THIS DEED, Made this 17th day of
April, A. D. 1925, by Narcisse Downs,
single, Jesse W. Downs, widower, and
Lulu Penn, single, parties of the
first part, Grantors, and John T.

Hill, party of the second part, Grantee.

WITNESSETH: that in consideration of Five (\$5.00) Dollars and other considerations, the receipt of which is hereby acknowledged, the said Narcisse Downs, Jesse W. Downs, and Lulu Penn do hereby grant and convey unto the said John T. Hill, his heirs and assigns in fee simple, all those two lots or parcels of land and premises located near Dayton in the Fifth Election District of Howard County, and thus described:

BEGINNING for the first of said parcels at a hickory tree the beginning of above mentioned deed and the beginning of "Thomas Lot", and binding on the outline

*delivered to Grantee
Jan. 5, 1926
(see Ticket)*

of same as corrected by $6\frac{3}{4}$ degrees variation; South $41\frac{1}{4}$ degrees East 40 perches to a line of the John Maloney (now Phelps property) with same as corrected and on the second line of above mentioned transfer South $14\frac{1}{4}$ degrees West 60 perches; then with the third line of above and still allowing $6\frac{3}{4}$ degrees variation North $78\frac{3}{4}$ degrees West 56 88/100 perches to the center of the Dayton Road; then leaving the third line and with said road North 36 degrees 5' West $12\frac{4}{5}$ perches to a line of the Thomas Maloney property; then with this line reversed North $11\frac{1}{4}$ degrees East 56 perches; then with a line of the Maloney property and produced along the Augustus Howard lot North $70\frac{1}{4}$ degrees West 30 perches to a lot owned by George N. Brown which was formerly a part of this property; then with a line of this lot as corrected North $17\frac{1}{4}$ degrees East 26 $\frac{1}{4}$ perches to a line of the George Sheppard property which line is also the last line in above mentioned Deed; then South $69\frac{1}{4}$ degrees East $62\frac{1}{4}$ perches to the beginning, containing 41.97 acres of land, more or less; and being the same land and premises described in a deed from George W. Howard and wife to the said Narcissa Downs, dated March 20, 1884, and of record in Liber J. H. O. No. 54, folio 417, etc., one of Howard County Land Records; and being the same property described in a deed from Mary Jane Finger to the Grantors, dated November 30, 1909, and is of record in Liber W. W. L. G. No. 88, folio 299.

BEGINNING for the second of said parcels at the end of the second line as described in above record and running with a part of the third line allowing $6\frac{3}{4}$ degrees variation North $78\frac{3}{4}$ degrees West 56 88/100 perches to the center of the Dayton road; then down the center of same South $33\frac{1}{4}$ degrees East 32 perches and South $40\frac{1}{2}$ degrees East 29 32/100 perches; then leaving road and following the pencil line of the Phelps property North $28\frac{1}{4}$ degrees East 43.04 perches to the beginning, containing 7.53 acres of land, more or less.

Reserving, however, to the Grantors herein the graveyard located upon the property ~~located upon the property~~ hereby conveyed together with the right of egress and ingress thereto at all times to the Grantors, their heirs and assigns, forever.

TOGETHER with the buildings and improvements thereon, the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said land and premises above described, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said John T. Hill, His heirs and assigns in fee simple, forever. Reserving, however, to the Grantors herein the graveyard located upon the property hereby conveyed together with the right of ^{and ingress} egress thereto at all times to the Grantors, their heirs and assigns, forever.

AND the said Narcissa Downs, Jesse W. Downs, and Lulu Penn, covenant that they

will warrant specially the property hereby conveyed, and that they will execute such other and further assurances of said land as may be requisite.

WITNESS THE HANDS AND SEALS OF THE GRANTORS:

Witness:	Narcissa Downs	(SEAL)
William P. Maloney	Jesse W. Downs	(SEAL)
	Lulu W. Penn	(SEAL)

STATE OF MARYLAND, HOWARD COUNTY, Set.:

I HEREBY CERTIFY, That on this 17th day of April, A. D. 1925, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Howard County, personally appeared Narcissa Downs, Jesse W. Downs and Lulu Penn, the Grantors named in the foregoing deed, and acknowledged the same to be their act and deed.

B. M. Hill, J.P.
Justice of the Peace.

Received for record 19th May, 1925 at 10 o'clock A. M. Same day recorded and examined per

Edward B. Hill, Clerk.

JOHN T. HILL and CHRISTINA
H. HILL, his wife,
DEED TO
COLUMBUS C. ISAACS and
BEATRICE H. ISAACS, his wife.

\$1.00 Duty
Canceled
Revenue
Stamp.

THIS DEED, made this 27th
day of April, A. D. 1925, by
John T. Hill and Christina H.
Hill, his wife, parties of the
first part, Grantors, and
Columbus C. Isaacs and Beatrice

H. Isaacs, his wife, parties of the second part, Grantees, all of Howard County and the State of Maryland.

WITNESSETH: that in consideration of Five (\$5.00) Dollars and other considerations, the receipt of which is hereby acknowledged the said John T. Hill and Christina H. Hill, his wife do hereby grant and convey unto the said Columbus C. Isaacs and Beatrice H. Isaacs, his wife, as tenants by the entireties their heirs and assigns and the survivor of them in fee simple, all that lot or parcel of land located near Dayton in the Fifth Election District of Howard County, and thus described:

BEGINNING FOR THE SAME at a stone near a hickory tree at the beginning of the first mentioned part in a deed of the whole property of which this is a part and

*Relieved & Columbus C. Isaacs
Mon. 27th 1925
(Per Ticket)*



ERASMUS G.
WILLIAM GARNER
BORN 21ST 1849
DIED 18TH 1900
Witnessed in the dead which die in the
Ford, from hence they go with the
spirit, and they may rest from the
labours of the day, and follow them

Erasmus G. Garner





